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Letter dated 25 February 2005 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

I have the honour to forward ideas and proposals delivered by President Omar Hassan Ahmed Albashir, before the N'djamena Summit on the situation in Darfur, held on 16 February 2005 (see annex).

I would highly appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Elfatih **Erwa**
Permanent Representative

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Annex to the letter dated 25 February 2005 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Proposals on the situation in Darfur delivered by President Omar Hassan Ahmed Albashir before the N'djamena Summit on 16 February 2005

The Government of the Sudan considers the role of the African Union in achieving peace in Darfur as a true challenge to both Africa and the Sudan. Accordingly, the Sudan is keen to achieve that end.

The Government of the Sudan highly appreciates the initiative of convening this Summit aiming at creating better circumstances for achieving peace, and presents the following proposals as a genuine contribution in support of the efforts.

The proposals comprise five components: expediting the negotiation process, enhancing the security situation, strengthening the African Union mission, the humanitarian situation and the political dialogue.

A. Expediting the negotiation process

This goal could best be achieved through:

1. Forcing the rebels to comply immediately with the ceasefire and refrain from road blocking in accordance with the provisions of the N'djamena Agreement.

2. Resumption of negotiations in Abuja as soon as possible, preferably before the end of February 2005.

3. The forthcoming round of talks should concentrate on the political dimension of the problem.

4. The two rebel movements should be represented by their highest leadership in the upcoming round of talks.

5. Countries participating in the present Summit are requested to form a supportive team of high-level representatives during the talks.

B. Enhancing the security situation

1. The Government of the Sudan, in conformity with its sovereign and constitutional responsibilities towards its citizens, reiterates its commitment to ensure compliance with and reinforcement of the ceasefire in Darfur. Previous experiences of implementing the Ceasefire Agreement in the Nuba Mountains and the Cessation of Hostilities in Southern Sudan provide a solid evidence of the ability and the will of the Government to fulfil its commitments.

2. The Government is the primary beneficiary of the ceasefire and the prevalence of peace, order and the rule of law. No Government tolerates the insecurity which threatens the very existence of Governments, States and communities.

On the contrary, the rebels are benefiting from instability and insecurity with the intention of maintaining continuous pressure on the Government who is the party responsible and accountable before international law.

3. The Government of the Sudan believes that the appropriate approach to address the security situation is to identify the active armed elements in Darfur in such a way that responsibility is accurately decided.

To achieve this, the Government calls for the adoption of a realistic and objective criterion to identify the armed actors in Darfur. In our view they are:

(a) Government forces, including the armed forces, the police forces, security forces and popular defence forces.

(b) The Popular Defence Forces (PDF) are paramilitary forces that are mobilized when there is a threat to the national security. They were established in accordance with regulations pre-dating the existing Government, and are under the command and control of the armed forces.

(c) The armed civilians among the tribes. Possession of arms in Darfur is a sociocultural phenomenon that is traditionally associated with manhood. The vast region and the diversified methods of earning a living contributed to illegal possession of arms. The frequency of tribal conflicts escalated the quest for possessing arms, and the tradition of cooperation and mutual support among tribal communities (known as tribal call) created an impression that those elements are forming an organized militia, bearing in mind the fact that this tradition is present in other activities such as agriculture and harvesting.

(d) Rebel armed groups. They include forces of the Sudan Liberation Movement, the Justice and Equality Movement and the Movement for Reform and Development.

(e) Armed bandits and outlaws. Those are criminal bandits from different tribes who continue to undermine security and stability.

The reality is that the aforesaid are the key players in Darfur. In this respect, the Government wishes to emphasize the following.

4. Government forces have suspended all attacks and have been directed to exercise utmost self-restraint.

5. We have decided to withdraw air bombers from Darfur.

6. The Government forces were instructed not to approach disputed areas. In this connection, the Government has decided to withdraw its forces from Labado, Gireida and Marla, although those areas were not under the rebels' control before last April.

7. The Government will continue to secure roads in order to ensure the flow of humanitarian assistance and commercial activity in close cooperation with the Ceasefire Commission of the African Union.

8. The Government will also continue to strengthen the civil police presence in Government controlled areas, facilitate the signing of reconciliation agreements between different tribes as well as protect the civilians and consolidate law and order.

9. Desirous of normalizing the situation, the Government has demobilized 30 per cent of PDF in response to the Darfur action plan signed between the Government and the United Nations on 5 August 2004. As a goodwill gesture before this Summit, the Government will further demobilize another 20 per cent of PDF, hence

totalling 50 per cent. Eventually demobilization will continue as security threat decreases, depending on:

(a) A commitment by the rebels to respect the ceasefire and to refrain from attacking villages and expanding their presence in rural areas.

(b) Resumption of negotiations in good faith.

The demobilization will come to zero level when rebels start implementing the resolution of the African Union Summit held in Addis Ababa in July 2004, in particular, the identification of the areas they occupy and the cantonment of their forces as well as the N'djamena Ceasefire Agreement of 8 April 2004.

10. As for the armed civilians among the tribes, the Government proposes the following measures:

(a) Such process is gradual, and would begin with identifying arms with a temporary legalization.

(b) Restriction of arms possession leading to a total control over these arms.

(c) Encouraging tribal reconciliation and a culture of peace.

(d) After eradicating security tension, and the establishment of law and order, a quest for possessing arms would not exist.

A high-level body will start the collection of arms. The collection will be carried out through enforcement and the use of incentives, in addition to programmes such as development against arms and other programmes of civil integration.

11. Paving the way for normalizing civil life in Darfur, the Government will apply further measures forbidding the wearing of military uniform by civilians.

12. The Government will sign a memorandum of understanding with the International Committee of the Red Cross for the supervision of the exchange of war detainees.

13. With a view to creating a conducive atmosphere for the peace negotiations, the Government will release detainees arrested in the context of the conflict in Darfur.

These measures, together with further steps to strengthen the role of the African Union and the completion of the deployment of its forces in Darfur, represent two thirds of the way to the stabilization of the security situation in Darfur. The remaining third is the cantonment of the rebels in sites agreed upon in accordance with the African Union Summit decision in Addis Ababa of July 2004, and the provisions of the N'djamena Agreement of 8 April 2004.

14. The full implementation of this process will place the Government in a better position to control the other destructive activities of the armed robbery bandits.

C. Enhancement of the role of the Ceasefire Commission

1. The Government of the Sudan underscores the vital role played by the Ceasefire Commission and expresses its appreciation and gratitude to all those who have contributed to this process in terms of financial and material support.

2. To strengthen the role of the Ceasefire Commission, we have to work together to accomplish the deployment of the agreed size of the African Union mission. Africa will be proud of the ownership and success of this mission. In this regard, we suggest the following quick plan of action:

(a) The Government will contribute logistic support (transportation and communications) to the African Union mission.

(b) A joint approach by the Government of the Sudan and the African Union towards sisterly and friendly countries to secure support and participation in the African Union mission.

(c) The African Union should take immediate contacts with Western donor countries to ensure fulfilment of their declared pledges.

(d) We will remain open towards any further proposals for the enhancement of this mission.

3. In the light of the actual performance of the African Union mission on the ground, the Government of the Sudan has some concerns, such as:

(a) A basic concern is that the African Union mission action plan should be more consistent with the agreed principle in the N'djamena Agreement and other relevant agreements that the African Union mission should not interfere with the sovereignty of the Sudan.

(b) The effectiveness and the need to strengthen the joint Ceasefire Commission.

(c) The information and media activities of the mission.

4. We consider it appropriate to make use of similar ceasefire experiences, especially the implementation of the Ceasefire Agreement in the Nuba Mountains in the Sudan, or any other relevant situations.

5. We deem it necessary that President Konary and the African Union Peace and Security Council convene an urgent meeting in which our competent organs could participate and seek means to address these concerns in a spirit of partnership.

D. The humanitarian situation

1. The Government of the Sudan had spared no efforts to meet the immediate humanitarian needs in the Darfur states. Financial support and resources that have been donated by citizens were allocated to accompany the endeavours and the international support in encountering the crisis. The levels of malnutrition, diseases and epidemics were fortunately addressed and under control with the substantial support in terms of food supplies, clothing, drugs, shelter, clean water and vaccination measures, which were made available in due course of time.

2. Despite these commendable efforts, the rebel movements repeatedly hindered humanitarian works by attacking the humanitarian convoys and workers, looting 227 trucks transporting humanitarian relief and 16 trucks were confiscated, in addition to the killing and kidnapping of many relief workers. These acts of evident violations of the Ceasefire Agreement have been condemned by the international community.

3. In this respect, we consider that the African leaders, the African Union, the United Nations and the international community should put more pressure on the rebels to ensure full compliance with the ceasefire and the humanitarian protocol signed under the auspices of the African Union and to facilitate the flow of humanitarian assistance to the affected population.

E. The political dialogue

1. The comprehensive peace agreement signed with the Sudan People's Liberation Army in Nairobi, on 9 January 2005 and its principles of power and wealth sharing, provides the basis for the settlement of political and economic problems in all parts of the Sudan, including the settlement of the crisis in Darfur.

2. The Government of the Sudan is committed to a final settlement on the basis of the following principles contained in the comprehensive peace agreement.

3. Adoption of a formula of an advanced system of the Federal Government as an ideal system for the different states in the Sudan. This system will guarantee the following:

(a) Adoption of a constitution for each state to be superseded only by the National Constitution.

(b) States will enjoy an expanded economic and political decision-making power.

(c) Free and fair elections for both executive and legislative bodies of States.

(d) Equitable participation of States in the central Government institutions, in particular the executive and legislative bodies.

(e) Establishment of an independent judiciary.

(f) Establishment of an independent and active civil service.

(g) Agreement on a just formula of wealth sharing, which will enable each State to have a fair share.

(h) Establishment of a development and rehabilitation commission to meet the necessary development needs.

(i) Realization of viable reconciliation among the population of Darfur with a view to restoring the social fabric and the peaceful coexistence of the different tribes in the region.

(j) Addressing the impacts of the war with particular emphasis on the needs of refugees and internally displaced persons.